



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

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**DIRECTOR'S POLICY**

**#100-05**

**LICENSE SUSPENSIONS**

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**EFFECTIVE DATE:** March 6, 2003

**APPROVED BY:**

**I. HISTORY**

This policy replaces Director's Policy #100-05, Court Orders to Suspend Licenses, effective August 17, 1998.

**II. PURPOSE**

The purpose of this policy is to establish procedures for suspending and removing suspensions on licenses, certifications, registrations or other authorizations issued by the Department of Professional and Occupational Regulation.

**III. POLICY**

Disciplinary and court ordered suspensions (under the provisions of § 63.2-1937 of the *Code of Virginia*) shall be processed by the Executive Director for the appropriate regulatory program in accordance with the terms of the disciplinary or court order. This policy shall not apply to dishonored check suspensions that are processed in accordance with § 54.1-104 of the *Code of Virginia*.

**IV. DEFINITIONS**

**Certification**

The process whereby the Department issues a certificate on behalf of the Commonwealth to a person certifying that he possesses the character and minimum skills to engage properly in his profession or occupation.

License	A method of regulation whereby the Commonwealth, through the issuance of a license, authorizes a person possessing the character and minimum skills to engage in the practice of a profession or occupation that is unlawful to practice without a license.
Registration	A method of regulation whereby any practitioner of a profession or occupation may be required to submit information concerning the location, nature and operation of his practice.
Suspension	The temporary interruption of a professional privilege or authorization (i.e., license, certification, registration, or other authorization to engage in a business, trade, profession, or occupation issued by the Commonwealth pursuant to those sections of Title 54.1 of the <i>Code of Virginia</i> ).

## **V. PROCEDURES**

### **A. LICENSE SUSPENSION**

#### **1. Disciplinary Suspensions**

- a) The Executive Director shall suspend the license, certification, registration or other authorization and insert a comment in the record history to indicate the reason for the suspension.
- b) The Executive Director shall notify the regulant of the suspension by (1) first class mail and (2) certified mail, return receipt requested and demand that the license, certification or registration be surrendered to the Department within 90 days of the date on the letter. The notification shall include instructions regarding renewal requirements that must be met during the suspension.

#### **2. Court-ordered Suspensions**

- a) All inquiries regarding court orders and suspensions should be directed to the Deputy Director for Regulatory Programs. All court orders received by the Department directing that a license be suspended shall be hand-delivered upon receipt to the Public Records Administrator.
- b) The Public Records Administrator shall record the receipt of the court order and forward the court order to suspend to the Deputy Director for Regulatory Programs who shall identify the appropriate Executive Director to process the suspension.

- c) The Executive Director shall suspend the license, certification, registration or other authorization and insert a comment in the record history to indicate that the license was suspended by court order.
- d) The Executive Director shall notify the regulant of the suspension by (1) first class mail and (2) certified mail, return receipt requested and demand that the license, certification or registration be surrendered to the Department within 90 days of the date on which the court order to suspend was entered. The notification shall include instructions regarding renewal requirements that must be met during the suspension.

## B. REMOVAL OF THE SUSPENSION

### 1. Disciplinary Suspensions

The Executive Director shall remove the suspension, indicate the reason for the removal of the suspension in the record history and forward the license, certification or registration to the regulant. The expiration date shall be the same date that was in effect at the time of suspension. The Executive Director shall notify the regulant in writing of any requirements that must be met in order to preserve his or her license status. If the suspension lasted for one year or less, the regulant shall have 30 days to comply with any renewal requirements that should have been met during the period of suspension. If the suspension exceeded one year, the regulant shall be required to meet any renewal, reinstatement or re-application requirements (as documented in the board regulations) that would apply for the length of time that elapsed since the license expiration date.

### 2. Court-ordered Suspensions

- a) All court orders received by the Department directing the removal of the suspension shall be hand-delivered upon receipt to the Public Records Administrator.
- b) The Public Records Administrator shall record the receipt of the court order and forward the court order to remove the suspension to the Deputy Director for Regulatory Programs who shall identify the appropriate Executive Director to process the suspension removal.
- c) The Executive Director shall remove the suspension, indicate the reason for the removal of the suspension in the record history and forward the license, certification or registration to the regulant. The expiration date shall be the same date that was in effect at the time of suspension. The Executive Director shall notify the regulant in writing of any requirements that must be met in order to preserve his or her license status. If the suspension lasts for one year or less, the regulant shall have 30 days to comply with any renewal requirements that should have been met during

the period of suspension. If the suspension exceeds one year, the regulant shall be required to meet any renewal, reinstatement or re-application requirements (as documented in the board regulations) that would apply for the length of time that elapsed since the license expiration date.

- d) Pursuant to §63.2-1937 of the *Code of Virginia*, no processing or administrative fee shall be charged to a person for removal of the suspension from their license, certificate, registration, or other authorization.

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